

UNITED STATES DISTRICT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

United States Courts
Southern District of Texas
FILED

JUL 26 2019

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

KAYOUS PENA, et al

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CASE NO. 2:19-mj-02801

MOTION TO DEPOSE MATERIAL WITNESSES

COMES NOW the designated witnesses, Roberto Edwin Gomez-Gonzalez and Jose Adony Guillen-Molina, by and through their attorney, Jeanette Cantu-Bazar and respectfully moves their Court to allow the government and the Defendant in their case to take the deposition of the material witnesses presently in custody as follows:

I.

On or about July 21, 2019, the defendants were arrested on United States Highway 77 North of State Highway 44 near Robstown, TX. Material Witnesses respectfully request depositions be granted.

II.

Court records show the material witnesses did not waive their right to an attorney. Unable to post bond since their arrest on or about July 21, 2019, the material witnesses remain incarcerated. To date, the government has taken no action to preserve their testimony for subsequent use at hearings or trial. See 8 U.S.C. § 3144 & Fed. R. Crim. P.


15.

WHEREFORE, PREMISES CONSIDERED, the material witnesses Roberto Edwin Gomez-Gonzalez and Jose Adony Guillen-Molina respectfully moves the Court to order the videotaped deposition so that the material witnesses may be discharged from custody upon completion of same.

By: *Jeanette Cantu-Bazar*
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Motion to Depose Material Witnesses has been delivered to the following: Attorney for Defendant #1 Kayous Pena, Mr. Randall Barrera, Attorney for Defendant #2 Brandie Lee Anaya, Mr. Stephen Wood Byrne, Attorney for Defendant #3 Monica Valdez, Mr. Rene C. Flores and Assistant United States Attorney Ms. Yifei Zheng on this July 26, 2019.


JEANETTE CANTU-BAZAR
Attorney for Material Witnesses

CERTIFICATE OF CONSULTATION

I hereby certify that I consulted with the following: Attorney for Defendant #1 Philip James Long, Mr. Jacyr Quadros Heil, Attorney for Defendant #2 Stacy Jen Long, Mr. Stephen Christopher McMains, who are (un)opposed to this Motion, and Assistant United States Attorney Mr. Neel Kapur who is (un)opposed to this Motion, on this July 26, 2019.


JEANETTE CANTU-BAZAR
Attorney for Material Witnesses